Appl. No.: 10/775,869 Filed: February 10, 2004

Page 2 of 10

Amendments to the Claims:

Please cancel Claims 3-4 and 24 without prejudice or disclaimer; amend Claims 1-

2, 5-7, 9, 11-14, 16-19, 25, 27, 33, 35 and 37; and add new Claim 41 as set forth below.

1. (Currently amended) A method of treating a melanin-containing tumor in a

subject which comprises administering to the subject an amount of a radiolabeled

antibody effective to treat the tumor, where the radiolabeled antibody binds to

melanin a cellular component released by a dying tumor cell and where the

amount effective to treat the melanin-containing tumor is a dose of 1-1000 mCi.

2. (Currently amended) A method of imaging a melanin-containing tumor in a

subject which comprises administering to the subject an amount of a radiolabeled

antibody effective to image the tumor, where the radiolabeled antibody binds to

melanin a cellular component released by a dying tumor cell.

3-4. (Canceled)

5. (Currently amended) A method for treating a melanin-containing melanoma in a

subject which comprises administering to the subject an amount of a radiolabeled

anti-melanin monoclonal antibody effective to treat the melanoma.

6. (Currently amended) A method for imaging a melanin-containing melanoma in a

subject which comprises administering to the subject an amount of a radiolabeled

anti-melanin monoclonal antibody effective to image the melanoma.

7. (Currently amended) The method of claim 1 or 5 wherein the antibody is labeled

with an alpha-emitting radioisotope.

06/29/2006 SSESHE1 00000186 10775869

Appl. No.: 10/775,869 Filed: February 10, 2004

Page 3 of 10

- 8. (Original) The method of claim 7 wherein the alpha-emitting radioisotope is 213-Bismuth.
- 9. (Currently amended) The method of claim <u>1 or</u> 5 wherein the antibody is labeled with a beta-emitting radioisotope.
- 10. (Original) The method of claim 9 wherein the beta-emitting radioisotope is 188-Rhenium.
- 11. (Currently amended) The method of claim <u>1 or</u> 5 wherein the antibody is labeled with a radioisotope selected from the group consisting of a positron emitter and an admixture of any of an alpha emitter, a beta emitter, and a positron emitter.
- 12. (Currently amended) The method of claim <u>2 or</u> 6 wherein the antibody is labeled with a radioisotope selected from the group consisting of a beta emitter, a positron emitter, and an admixture of a beta emitter and a positron emitter.
- 13. (Currently amended) The method of claim <u>2 or</u> 6 wherein the antibody is labeled with a radioisotope selected from the group consisting of 99m-Technetium, 111-Indium, 67-Gallium, 123-Iodine, 124-Iodine, 131-Iodine and 18-Fluorine.
- 14. (Currently amended) The method of claim 1, 2, 5 or 6 wherein the subject is a mammal.
- 15. (Original) The method of claim 14 wherein the mammal is a human.
- 16. (Currently amended) The method of claim 5 wherein the <u>amount effective to</u> treat the melanoma is a dose of the radioisotope is between 1-1000 mCi.

Appl. No.: 10/775,869 Filed: February 10, 2004

Page 4 of 10

17. (Currently amended) The method of claim <u>1 or 2</u>, 5 wherein the antibody is a monoclonal antibody.

- 18. (Currently amended) The method of claim 1, 2, 5 or 6, wherein the antibody is a $F(ab')_2$ fragment or a Fab' fragment of a whole antibody.
- 19. (Currently amended) The method of claim 1, 2, 5 or 6, wherein the antibody is an IgM antibody, an IgG antibody, or an IgA antibody.

20-24. (Canceled)

- 25. (Currently amended) The method of claim 1, 2, 5 or 6, wherein uptake of radiolabeled antibody by the kidney is inhibited by administering a positively charged amino acid to the subject.
- 26. (Original) The method of claim 25, wherein the amino acid is D-lysine.
- 27. (Currently amended) The method of claim 1 or 5 which further comprises administering to the subject an amount of antibodies radiolabeled with a plurality of different radioisotopes.
- 28. (Original) The method of claim 27, wherein the radioisotopes are isotopes of a plurality of different elements.
- 29. (Original) The method of claim 27, wherein at least one radioisotope is a long range emitter and at least one radioisotope is a short range emitter.

Appl. No.: 10/775,869 Filed: February 10, 2004

Page 5 of 10

30. (Original) The method of claim 29, wherein the long-range emitter is a beta emitter and the short range emitter is an alpha emitter.

- 31. (Original) The method of claim 30, wherein the beta emitter is 188-Rhenium and the alpha emitter is 213-Bismuth.
- 32. (Original) The method of claim 27, wherein the plurality of different radioisotopes is more effective in treating the tumor than a single radioisotope within the plurality of different radioisotopes, where the radiation dose of the single radioisotope is the same as the combined radiation dose of the plurality of different radioisotopes.
- 33. (Currently amended) The method of claim 5 or 6 wherein uptake of radiolabeled anti-melanin monoclonal antibody in the melanoma is at least 10 times greater than in surrounding muscle.
- 34. (Canceled)
- 35. (Currently amended) The method of claim 5 or 6 wherein the radiolabeled antimelanin monoclonal antibody is not taken up by non-cancerous melanin-containing tissue.
- 36. (Original) The method of claim 35, wherein the non-cancerous melanin-containing tissue is hair, eyes, skin, brain, spinal cord, and/or peripheral neurons.
- 37. (Currently amended) The method of claim <u>1 or</u> 5, which comprises multiple administrations of the radiolabeled antibody to the subject.

Appl. No.: 10/775,869 Filed: February 10, 2004

Page 6 of 10

38-40. (Canceled)

41. (New) The method of claim 5 or 6, wherein where the radiolabeled anti-melanin monoclonal antibody binds to melanin released by a dying melanoma cell.